

Appln. No.:

Amdt. dated:

Preliminary Amendment

The following listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

Claims 1-16 (cancel)

17. (New) A tool assembly comprising:

a pair of jaws including a first jaw and a second jaw, each of the jaws having a proximal end and a distal end, the first and second jaws being movable in relation to the other between a spaced position and an approximated position;

first and second cam followers supported on one of the first and second jaws; and
an approximation member including at least one cam surface positioned to engage the first and second cam followers, the approximation member being movable to move the at least one cam surface in relation to the first and second cam followers;

wherein the approximation member is movable to move the at least one cam surface in relation to the first and second cam followers to effect movement of the first and second jaws between the spaced position and the approximated position, the at least one cam surface being configured to approximate the distal ends of the first and second jaws prior to approximation of the proximal ends of the first and second jaws.

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18. (New) A tool assembly according to claim 17, wherein the first jaw includes an anvil and the second jaw includes a cartridge assembly, the cartridge assembly housing a plurality of staples.

19. (New) A tool assembly according to claim 17, wherein the at least one cam surface includes at least one cam channel.

20. (New) A tool assembly according to claim 19, wherein the at least one cam channel includes first and second cam channels.

21. (New) A tool assembly according to claim 17, wherein the approximation member includes a flat plate having the at least one cam surface formed therein.

22. (New) A tool assembly according to claim 21, wherein the first jaw includes a longitudinal slot formed in its proximal end, the approximation member being slidably positioned in the longitudinal slot.

23. (New) A tool assembly according to claim 22, wherein the first and second cam followers are supported on the proximal end of the first jaw and extend across the longitudinal slot adjacent the at least one cam surface.

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24. (New) A tool assembly according to claim 23, wherein the at least one cam surface includes first and second cam channels, the first cam follower extending through the first cam channel and the second cam follower extending through the second cam channel.

25. (New) A tool assembly according to claim 17, further including a body portion, wherein the tool assembly is pivotally attached to the body portion by an articulation joint.

26. (New) A tool assembly according to claim 25, wherein the body portion forms the distal end of a surgical stapling device.

27. (New) A tool assembly according to claim 17, wherein the body portion forms the proximal portion of a disposable loading unit.

28. (New) A surgical device comprising:
a body portion defining a longitudinal axis;
a tool assembly including an anvil, a cartridge assembly housing and a plurality of staples and a dynamic clamping member, the anvil and cartridge assembly being movable in relation to each other between spaced and approximated positions, the dynamic clamping member being movable in relation to the anvil and the cartridge assembly to eject the staples from the cartridge assembly, the tool assembly being pivotally attached to the body portion and being pivotable in relation to the body portion from a position aligned with the longitudinal axis

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of the body portion to a position oriented at an angle to the longitudinal axis of the body portion;
and

an articulation and firing actuator extending at least partially through the body portion and the tool assembly, the articulation and firing actuator being operably associated with the dynamic clamping member and the tool assembly and being movable in relation thereto to selectively pivot the tool assembly in relation to the body portion and move the dynamic clamping member in relation to the tool assembly to effect ejection of the staples from the cartridge.

29. (New) A surgical device according to claim 28, wherein the articulation and firing actuator includes a flexible band having a first end portion extending at least partially through the body portion and through the cartridge assembly, a central portion extending from the first end portion and being operatively associated with the dynamic clamping member and a second end portion extending from the central portion through the cartridge assembly and at least partially through the body portion to a position adjacent the first end.

30. (New) A surgical device according to claim 29, wherein the articulation and firing actuator is operably associated with the tool assembly such that movement of either the first end portion or the second end portion of the flexible band proximally and independently of the other end portion effects articulation of the tool assembly in relation to the body portion, and movement of both the first and second end portions of the flexible band simultaneously effects

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movement of the dynamic clamping member to effect ejection of the staples from the cartridge assembly.

31. (New) A surgical device according to claim 28, further including an approximation member operably associated with the tool assembly and being movable in relation to the tool assembly to move the anvil and cartridge assembly from the spaced to the approximated position.

32. (New) A tool assembly according to claim 28, wherein the tool assembly is a disposable loading unit.

33. (New) A surgical device comprising:

a tool assembly including a first jaw and a second jaw, each of the jaws having a proximal end and a distal end, the first jaw being movable in relation to the second jaw between a spaced position and an approximated position;

first and second cam followers supported on one of the first and second jaws; and

an approximation member including at least one cam surface positioned to engage the first and second cam followers, the approximation member being movable to move the at least one cam surface in relation to the first and second cam followers to effect movement of the first and second jaws between the spaced position and the approximated position; and

a dynamic clamping member operably associated with the first and second jaws and being movable in relation to the first and second jaws to actuate the tool assembly and to

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maintain a desired gap between the first and second jaws at a location adjacent the dynamic clamping member.

34. (New) A surgical device according to claim 33, wherein the first jaw includes an anvil and the second jaw includes a cartridge assembly having a plurality of staples, the dynamic clamping member being movable in relation to the cartridge assembly to effect ejection of the plurality of staples from the cartridge assembly.

35. (New) A surgical device according to claim 34, wherein the dynamic clamping member includes an upper flange positioned to slidably engage the anvil and a lower flange for slidably engaging the cartridge assembly, the upper and lower flanges being positioned to maintain a desired tissue gap between the anvil and the cartridge assembly.

36. (New) A surgical stapling device according to claim 35, wherein the first and second cam followers are supported on a proximal end of the anvil.